

CLAIM OF: MICHAEL BARTHOLOMEW
2955 Peachtree Road, NE
Suite D
Atlanta, Georgia 30305

For damages alleged to have been sustained as a result of property damage on March 31, 2000, April 1, April 8 and April 15, 2000 at 2955 Peachtree Road, NE.

BY PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE:

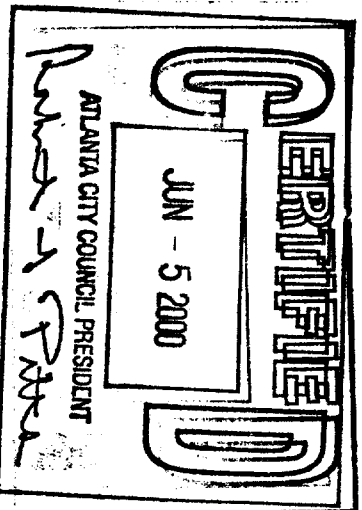
BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to MICHAEL BARTHOLOMEW the sum of \$980.00 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of property damage on March 31, 2000, April 1, April 8 and April 15, 2000 at 2955 Peachtree Road, NE as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/731001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY
ADOPTED BY
JUN 05 2000
COUNCIL

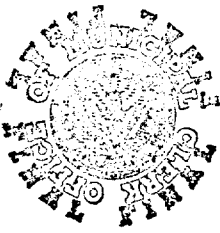
FAVORABLE
COM. *Public Safety*
DATE *5/30/2000*
CHM. *C. T. Martin*

[Signature]
[Signature]
[Signature]



[Signature]
JUN 05 2000
MUNICIPAL CLERK

APPROVED
JUN 14 2000
WITHOUT SIGNATURE
BY OPERATION OF LAW



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

00-R-0783

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Michael Bartholomew** the sum of **\$980.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **property damage on March 31, 2000, April 1, April 8 and April 15, 2000 at 2955 Peachtree Road, NE** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403**

JUNE 05, 2000

JUNE 14, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0233

Date: May 18, 2000

Claimant /Victim MICHAEL BARTHOLOMEW
BY: (Atty) (Ins. Co.) _____
Address: 2955 Peachtree Road, NE, Suite D, Atlanta, Georgia 30305
Subrogation: Claim for Property damage \$ 980.00 Bodily Injury \$ _____
Date of Notice: 04/20/00 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 03/31, 04/01, 04/08 & 04/15/00 Place: 2955 Peachtree Road, NE
Department Public Works Division: Sewer Operations
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant's property was damaged due to a series of sewer back ups caused by a broken sewer line that was not discovered until the second back up. Repairs to the broken sewer line were not complete after the last back up on April 15, 2000.

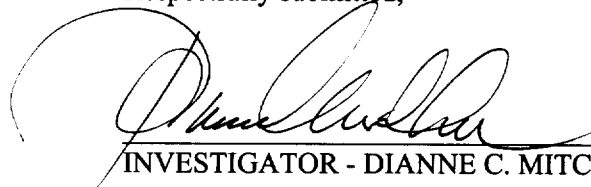
INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police X Dept Report X Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

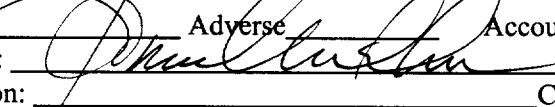
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 980.00 Adverse _____ Account charged: 1A01 _____ 2J01 X 2H01 _____
Claims Manager:  Concur/date 05-19-00
Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK

City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: April 12, 2000

ENTERED - 04/26/00 - tew
00L0233 - DIANNE C. MITCHELL

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ _____ property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: March 31, 2000 2. Time of Incident: 12-3 pm 3. Police called: Yes X No
reoccured April 1st, 2nd, 3rd (month/day/year)
4. Location of incident (including street address): 2955 Peachtree Rd NE. Suite D
5. Name of your insurance company: State Farm Policy No. _____
6. State what and how incident occurred: To the best of my knowledge the sewer line located @ street level backed up into our building causing raw sewage to come up from our pump system through the floor causing a flood in my office. This occurred twice. See Attachment
7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).
- Your vehicle: _____
(Make) (Year) (Tag Number) (Driver's Name)
- City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)
9. Witness: _____
(Name) (Address) (Telephone Number)
10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE
INFORMATION IS TRUE AND CORRECT.

[Signature]
Signature of Claimant

Michael Bartholomew

(Print Claimant's Name)

2955 Peachtree Rd

(Address)

Atlanta, GA 30305

(City, State and Zip Code)

404-266-0580

(Work Number)

404-266-0524

(Home Number)

(Fax)

To whom it may concern:

I have filled out the enclosed claim form and given a brief explanation of what happened on the mentioned dates. I was able to get a qualified plumber out to the sight to asses the situation. There for after his repair work and after adding the valve in the live to prevent this situation (my office flooding with raw sewage) again it was determined that the situation was caused by the cities sewage line backing up in to the building. We also had to contend with the sewage running down the driveway for several days. I can assure you the sewage caused me lost business, as I was unable to operate my business with sewer water and refuse everywhere to clean up. I have to also mention the expense incurred to clean up my office and the interior of my workspace outside my office. Below is a list of the expensed I believe that I am entitled to reimbursement for. Your cooperati0on is greatly appreciated.

- 1) Clean up costs including materials/disinfectants 125.00
- 2) Floor paint and materials refinish office area m 155.00
- 3) Water (city of Atlanta) 50.00
- 4) Loss of revenue 500.00 Calculated Excel spreadsheet
- 5) Labor hours of time spent handling and supervising clean up operation by management 200.00 10 @ 20.00 per hour
- 6) Total claim 980.00

Please feel free to call me at 404 266 0580 between the hours of 9 to 5 if you have any questions. I also have photographs I will be happy to furnish at your request

00- R -0783

RCS# 1981
6/05/00
2:45 PM

Atlanta City Council

Regular Session

CONSENT AGENDA PAGES (1 - 10)

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
B Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-O-0662

06/05/00 Council Meeting	
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-0590 2. 00-O-0677 3. 00-O-0712 4. 00-O-0752 5. 00-O-0592 6. 00-O-0593 7. 00-O-0594 8. 00-O-0625 9. 00-O-0666 10. 00-O-0673 11. 00-O-0722 12. 00-O-0724 13. 00-O-0725 14. 00-O-0730 15. 00-O-0589 16. 00-O-0713 17. 00-O-0714 18. 00-O-0715 19. 00-O-0716 20. 00-R-0753 21. 00-R-0794 22. 00-R-0761 23. 00-R-0719 24. 00-R-0763 25. 00-R-0764 26. 00-R-0762 27. 00-R-0765 28. 00-R-0766 29. 00-R-0768 30. 00-R-0769 31. 00-R-0770 32. 00-R-0771 33. 00-R-0772 34. 00-R-0773 35. 00-R-0774 36. 00-R-0783 37. 00-R-0784 38. 00-R-0785	39. 00-R-0775 40. 00-R-0776 41. 00-R-0777 42. 00-R-0778 43. 00-R-0779 44. 00-R-0780 45. 00-R-0781 46. 00-R-0782 47. 00-R-0786 48. 00-R-0787 49. 00-R-0788 50. 00-R-0789 51. 00-R-0790 52. 00-R-0791 53. 00-R-0792 54. 00-R-0793